

**Nguyen, George**

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**From:** STIC-FPAS  
**Sent:** Tuesday, June 05, 2001 12:42 PM  
**To:** Nguyen, George

**UNITED STATES OF AMERICA (US)**

Patent (No,Kind,Date): US 5762539 A 19980609  
APPARATUS FOR AND METHOD FOR POLISHING WORKPIECE (English)  
Patent Assignee: EBARA CORP (JP)  
Author (Inventor): NAKASHIBA MASAMICHI (JP); KIMURA NORIO (JP);  
WATANABE ISAMU (JP); YOSHIDA KAORI (JP)  
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**UNITED STATES OF AMERICA (US)**

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US 5762539 P 19960227 US AA PRIORITY (PATENT)  
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US 5762539 P 19970227 US AE APPLICATION DATA (PATENT)  
(APPL. DATA (PATENT))  
US 807463 A 19970227  
US 5762539 P 19970227 US AS02 ASSIGNMENT OF ASSIGNOR'S  
INTEREST  
MONTELL NORTH AMERICA INC. 2801 CENTERVILLE  
ROAD WILMINGTON, DELAWARE 19850-543 ;  
COLLINA, GIANNI : 19970224; MORINI, GIAMPIERO  
: 19970224  
US 5762539 P 19970625 US AS02 ASSIGNMENT OF ASSIGNOR'S  
INTEREST  
EBARA CORPORATION 11-1, HANEDA ASAHI-CHO,  
OHTA-KU TOKYO, JAPAN ; NAKASHIBA, MASAMICHI :  
19970603; KIMURA, NORIO : 19970603; WATANABE,  
ISAMU : 19970603; YOSHIDA, KAORI : 19970603  
US 5762539 P 19980609 US A PATENT  
US 5762539 P 19990209 US CC CERTIFICATE OF CORRECTION  
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Format

5/29/01

Please docket this file to the examiner indicated on the face of the file. Then please forward the file to the examiner with this note attached.

Thanks,

Steve Marcus

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George:

This application was published in the OG 8/22/00. Therefore, a first action should be done immediately. Please note the enclosed reissue checklist and instructions for its use. **There are rule changes that went into effect on 11/7/00 regarding reissues, and the new checklist reflects those rule changes.** (Under the new rules, you CAN do a restriction in a reissue case under certain circumstances; see me for details!). If you review the checklist, you will see that certain housekeeping items are required, such as ordering the patented file and having a litigation search done at the STIC, bldg 3-4, 2nd floor or in the EIC in this bldg, 2<sup>nd</sup> floor. I believe that you can e-mail a request for the litigation report to STIC or the EIC and they will e-mail the report back to you. Reissues are automatically stayed during pending litigation with certain exceptions, see MPEP 1442.02.

Please also look at the new material on the legal issue of recapture which appears in the recent revision of the MPEP at MPEP 1412.02 (7<sup>TH</sup> Ed. Rev 1 dated 2/2000). **Obviously, you can not do an analysis of recapture without having the patented file.**

Procedurally, I will need a completed checklist with the first Office action, together with the patented file. I will return the checklist to you so that you will have it for each amendment, and because there are two items on the checklist to be completed on allowance. I will ask you to retain the checklist and the patented file in your Office, because the patented file must be forwarded with the allowed application file and I will need the checklist then too.

If you have any questions, please get in touch with me at your convenience. Again, note that new reissue rules went into effect on 11/7/00, and some (but certainly not all) may have an effect on the examination as applying to responses filed on or after 11/7/00.

Thanks,

Steve Marcus